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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/756,648	01/03/2001	Raymond T. Hebert	M-10970 US	6710

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WINSTON & STRAWN
PATENT DEPARTMENT
1400 L STREET, N.W.
WASHINGTON, DC 20005-3502

EXAMINER

NGUYEN, JENNIFER T

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 01/22/2004

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/756,648

Applicant(s)

HEBERT ET AL.

Examiner

Jennifer T Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 55-57 and 59 is/are allowed.
- 6) ☒ Claim(s) 6, 10, 13, 14, 24, 28-35, 37, 41, 44, 45, 52-54, 80, 91-95, 97-102 and 104-108 is/are rejected.
- 7) ☒ Claim(s) 11, 12, 15-17, 20-23, 42, 43, 46-51, 85-90, 96 and 103 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Continuation of Disposition of Claims: Claims pending in the application are 1,6,13,14,24,28-35,37,41,44,45,52-54,80,91-95,97-102 and 104-108.

DETAILED ACTION

1. This Office action is responsive to Amendment filed on 11/16/2003.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 6, 13, 14, 24, 35, 37, 41, 44, 45, 52, 80, 91, 97, 98, 100-102 and 104-107 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luber et al. (U.S. Patent No. 6,430,433) in view of Cho (U.S. Patent No. 6,154,300).

Regarding claims 1, 35, 80, 97, 98, 100, 104, and 105, referring to Figs. 1 and 2, Luber teaches an apparatus including a video interface for a remote display, comprising: a video processing circuit (111) configured to output a baseband video signal, said video signal having a data structure comprising a repetitive sequence of frame times, each said frame time containing substantially equal consecutive field times for each of three color fields; a remote receiver (118) configured to receive said baseband video signal; and a remote electronic circuit (not shown) interconnected to said receiver (118) and to a video display device (118), said remote electronic circuit configured to apply said baseband video signal to control and drive said video display device (118) (from col. 1, line 51 to col. 2, line 54 and from col. 2, line 66 to col. 3, line 28).

Luber differs from claims 1, 35, 80, 97, 98, 100, 104, and 105 in that he does not specifically teach a transceiver module comprising a cluster of infrared light emitting diodes

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coupled to said video processing circuit for transmitting said baseband video signal. However, referring to Fig. 7, Cho teaches a transceiver (70, 82) module comprising a cluster of infrared light emitting diodes coupled to said video processing circuit for transmitting said baseband video signal (from col. 3, line 40 to col. 4, line 60). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the transceiver as taught by Cho in the system of Luber in order to provide a system with low power density of LED and avoid potential eye damage.

Regarding claim 6, 37, 41, and 102, the combination of Luber and Cho teaches each diode in said cluster emits an identical optical signal (from col. 3, line 40 to col. 4, line 60 of Cho).

Regarding claims 13, 14, 44, 45, and 101, the combination of Luber and Cho teaches the cluster of light emitting diodes is interconnected with said video processing circuit through electrical cables and a coaxial cable (from col. 3, line 40 to col. 4, line 67 of Cho).

Regarding claim 24, 52, 91, 106, and 107, Luber further teaches a headset (5) to be worn by a user, said headset (5) incorporating said receiver and said video display device (from col. 1, line 51 to col. 2, line 54 and from col. 2, line 66 to col. 3, line 8).

4. Claims 28-30, 32, 94, 95, and 108 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luber et al. (U.S. Patent No. 6,430,433) in view of Cho (U.S. Patent No. 6,154,300) and further in view of Kosugi et al. (U.S. Patent No. 6,483,483).

Regarding claim 28, the combination of Luber and Cho differs from claim 28 in that it does not specifically teach remote electronic circuit is configured to illuminate the video display device sequentially with light from colored light emitting diodes in synchronism with the bursts

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of pixel luminance data, such that illumination occurs during a portion of each the field time not containing the burst. However, referring to Fig. 3, Kosugi teaches remote electronic circuit is configured to illuminate the video display device sequentially with light from colored light emitting diodes in synchronism with the bursts of pixel luminance data, such that illumination occurs during a portion of each the field time not containing the burst (col. 4, lines 4-67).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the remote electronic circuit is configured to illuminate the video display device sequentially with light from colored light emitting diodes in synchronism with the bursts of pixel luminance data, such that illumination occurs during a portion of each the field time not containing the burst as taught by Kosugi in the system of the combination of Luber and Cho in order to provide the image is displayed in a high resolution.

Regarding claims 29, 30, 32, 94, 95, and 108, the combination of Luber, Cho and Kosugi teaches operating two separate video display devices alternately, such that data bursts of a first video signal for a first display device alternate with corresponding data bursts of a second video signal for a second display device, and wherein said first and second video signals are derived from a single time duplexes video data stream (col. 4, lines 4-67 of Kosugi).

5. Claims 31, 33, 34, 53, 54, 92, 93, and 99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luber et al. (U.S. Patent No. 6,430,433) in view of Cho (U.S. Patent No. 6,154,300) and further in view of Beller et al. (U.S. Patent No. 6,046,712).

Regarding claim 31, the combination of Luber and Cho differs from claim 31 in that he does not specifically teach a bandwidth of the order of or greater than 100 MHz. However Beller teaches a bandwidth of the order of or greater than 100 MHz (col. 6, lines 45-67). Therefore, it

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would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the bandwidth of the order of or greater than 100 MHz as taught by Beller in the system of the combination of Luber and Cho in order to provide a system with high resolution images.

Regarding claims 33, 53, 92, and 99, the combination of Luber, Cho, and Luber teaches said modulated video signal incorporates an embedded audio signal (from col. 4, line 66 to col. 5, line 7, and col. 6, lines 45-67 of Luber).

Regarding claims 34, 54, and 93, the combination of Luber, Cho, and Luber teaches a return audio link-configured to propagate a return audio modulated signal from the proximity of said remote receiver to the proximity of said video processing circuit (from col. 4, line 66 to col. 5, line 7, and col. 6, lines 45-67 of Luber).

6. Claims 11, 12, 15-17, 20-23, 42, 43, 46-51, 85-90, 96, and 103 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claims are 55-57, and 59 are allowed.

8. Applicant's arguments with respect to claims 1, 6, 13, 14, 24, 28-35, 37, 41, 44, 45, 52-54, 80, 91-95, 97-102, and 104-108 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jennifer T. Nguyen** whose telephone number is **703-305-3225**.

The examiner can normally be reached on Mon-Fri from 9:00-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reach at **703-305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

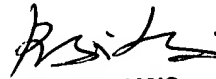
Washington, DC. 20231

Or faxed to: 703-872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, sixth-floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.

Jennifer T. Nguyen
01/18/2003


REGINA LIANG
PRIMARY EXAMINER